



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 28, 1991

Mr. Jack W. Madsen
125 North 500 West
Provo, Utah 84601

Dear Mr. Madsen:

Re: Status of Retired Permit Applications, RDM&S Partnership and D&M Partnership, Whiterock Claims Limestone Project and Edwards Canyon Limestone Project, M/045/001 and M/045/009, Tooele County, Utah

This letter is directed to you pursuant to your recent request for information regarding the status of previously submitted permit applications for two proposed limestone projects in Tooele County, Utah. As you know, the Division inactivated and retired the files on these projects in 1988. We have recovered the files from State Archives pursuant to your request and have performed a cursory review of the original permit applications.

The permit applications (M/045/001 and M/045/009) were tentatively approved by the Division in February 1976 and July 1980, respectively. The required reclamation sureties were never filed for either project by the operator(s). Mining operations pursuant to the tentatively approved mining and reclamation plans were never initiated. Performance of annual assessment work is the only apparent mining-related activity conducted to date on either property, and surface disturbing activities, if any, have not been documented with the Division.

Pursuant to the Utah Mined Land Reclamation Act, Title 40, Chapter 8 (1975, as amended), approval of a Notice of Intention to Commence Mining Operations, **and the subsequent filing of a reclamation surety**, is required to receive final approval and a permit to mine. The permitting process was never finalized, therefore, no permits were ever enacted for either project.

Revised rules were promulgated by the Board of Oil, Gas and Mining, effective December 1988. Because permits were never finalized before that date, the original tentative approvals and permit applications are not in concert with current rules, and as a consequence, are no longer valid.

Page 2

Mr. Jack Madsen

M/045/001 & M/045/009

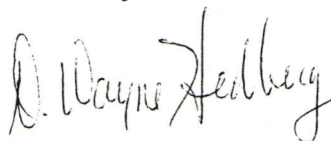
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If you wish to use portions of the original mining notices to assist you in the reapplication process, the older files are available for copying purposes. We can also arrange for the original applications to be returned to you directly. Please notify us accordingly in writing of your wishes in this regard.

Mr. Wayne Hedberg of my staff, has agreed to meet with you at 10:00 AM, October 31, 1991, at the Division offices to discuss the status (validity) of the original permit applications. This letter effectively summarizes the Division's position in this matter. I have directed my staff to reserve this scheduled time to meet with you to discuss permitting requirements under a new notice of intention should you wish to pursue this action at this time.

Please contact me or Wayne Hedberg of the Minerals staff should you have questions regarding the content of this letter. We look forward to working with you in processing and approving new applications for these mining projects.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

jb

cc: Steve Brooks, BLM, Pony Express RA
Minerals staff

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